

REMARKS

Reconsideration of the claims is respectfully requested. Claims 1-27 remain in the application. New claims 28-29 are submitted for consideration and allowance. Claims 1, 19, 28 and 29 are independent claims. No new matter has been added by this amendment.

Applicants respectfully request verification of the Examiner's receipt of an Information Disclosure Statement (with Transmittal Form) sent by Applicants on 1/25/2002. This request is submitted due to the fact that the references cited in the 1/25/2002 Information Disclosure Statement did not appear in the Examiner's list of considered references received in the present Office Action Summary. In case the 1/25/2002 Information Disclosure Statement was not received by the Examiner, Applicants include herewith a copy of the Information Disclosure Statement, along with the Certification of Mailing signed 1/25/2002. Applicants respectfully thank the Examiner in advance for verification on this issue.

The Examiner's comments in regard to the preliminary amendment are noted. It appears that the claim numbering in Applicants' file copy is different than the claim numbering in the copy sent to the PTO. Applicants apologize for the error in the preliminary amendment and any extra inconvenience experienced by the Examiner. Further, Applicants did intend that independent Claim 19 be amended and not Claim 18. For that reason, Applicants have amended Claims 18-19 to place Claim 18 in its original form and Claim 19 in the intended, amended form. Applicants respectfully request consideration of amended Claims 18-19.

The Examiner has rejected Claims 1-7, 9, 11, 16 and 18 under 35 USC § 102(b) as being clearly anticipated by Wallberg et al. In particular, the Examiner states that Wallberg shows the lower end of 9 comprises a latch member. Applicants have amended independent Claims 1 and 19 to include that the movement of the latch member by the cylinder is "substantially vertical" between the disengaged and the engaged positions. Wallberg does not teach or suggest such movement with a pivotal member. In fact, Wallberg's embodiment of Fig. 1 discloses that the latch pin 9 is moved substantially horizontally as the cylinder rod is extended to move the latch pin 9 into the latch surface 21. Applicants respectfully submit that the rejection of independent Claims 1 and 19 under 35 USC § 102(b) should be withdrawn in light of the amendments. Further, Applicants

respectfully submit that Claims 1 and 19 are allowable over the prior art of record. Additionally, Claims 2-7, 9,11,16 and 18 are dependent on either independent Claim 1, either directly or indirectly and add additional limitations therein. Therefore, the arguments asserted for Claim 1 are also applicable to the dependent claims and the rejection of Claims 2-7,9,11,16 and 18 should also be withdrawn. Further, it is respectfully submitted that Claims 2-7,9,11,16 and 18 are in condition for allowance.

The Examiner has rejected Claim 8 under 35 USC § 103(a) as being unpatentable over Wallberg et al in view of Doering et al. The Examiner states that it is well known to use slots in connections as shown by Doering at 69. Further, the Examiner stated that the arrangement shown in Doering prevents binding and would have been obvious to provide such slots in Wallberg. Because Applicants have amended independent Claim 1, on which claim 8 depends, in a manner that should promote the allowance of Claim 1, Applicants respectfully submit that the additional limitations of Claim 8 should also be allowable. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claim 8 under 35 USC § 103(a) and respectfully submit that Claim 8 is in condition for allowance.

The Examiner has rejected Claims 10 and 17 under 35 USC § 103(a) as being unpatentable over Wallberg et al. The Examiner states that it is conventional to provide various controls on a construction machine to divert hydraulic fluid from the main hydraulic circuit to perform different functions and that such arrangement cannot be a basis for patentability. Again, as in the argument above, Claims 10 and 17 are dependent upon independent Claim 1 and include additional limitations therein. Because Claim 1 is believed to be in allowable form, Claims 10 and 17 should also be in condition for allowance. Further, Applicants wish to assert in response to the Examiner's statement that diversion of hydraulic fluid from a main hydraulic circuit to perform different functions is conventional. However, the diversion of hydraulic fluid from a circuit that controls another function of the machine (such as the tilt cylinders for the implement) is believed to be novel. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claims 10 and 17 under 35 USC § 103(a). Further, Applicants respectfully submit that Claims 10 and 17 are in condition for allowance.

The Examiner has rejected Claims 12-15 under 35 USC § 103(a) as being unpatentable over Wallberg et al. The Examiner states that it is conventional to control the cylinders together by using one handle. Again, as in the arguments above, Claims 12-15 are dependent upon independent Claim 1 and include additional limitations therein. Because Claim 1 is believed to be in allowable form, Claims 12-15 should also be in condition for allowance. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claims 12-15 under 35 USC § 103(a). Further, Applicants respectfully submit that Claims 12-15 are in condition for allowance.

> The Examiner has rejected Claims 19-27 under 35 USC § 103(a) as being unpatentable over Wallberg et al. The Examiner states that the difference between the elements in Claim 19 and Wallberg is the location of the pivots for 9 and 6 on pivot member 7. Applicants have amended Claim 19 to include that the latch member is moved substantially vertically between the disengaged and engaged positions, as in Claim 1. Therefore, the arguments that apply to Claim 1 will also apply to Claim 19. In light of such arguments, Applicants respectfully request that the Examiner withdraw the rejection of Claim 19 under 35 USC § 103(a). Further, Applicants respectfully submit that Claim 19 is in condition for allowance. Additionally, Claims 20-27 are dependent on independent Claim 19, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claim 1 are also applicable to the dependent claims and the rejection of Claims 20-27 should also be withdrawn. Further, it is respectfully submitted that Claims 20-27 are in condition for allowance.

The Examiner has rejected Claims 1-7, 9,10, and 11-27 under 35 USC § 103(a) as being unpatentable over Albright or Youngers in view of Wallberg et al. The Examiner states that it would have been obvious to substitute for the hydraulic actuator in Albright separate cylinders pivoted to each other of 54 and 56 as claimed or add cylinders to Youngers in view of the teaching in Wallberg. Again, as stated previously, Applicants have amended independent Claims 1 and 19 to include the limitation that the latch member is moved "substantially vertically" between the disengaged and engaged positions through the action of the pivot member and associated components. Therefore, the arguments that applied to the 35 USC § 102 rejection will also apply to the 35 USC § 103 rejection herein.

In light of such arguments, Applicants respectfully request that the Examiner withdraw the rejection of Claims 1 and 19 under 35 USC § 103(a) because none of the prior art references teach or suggest a combination of the components, as in Claims 1 and 19, to achieve substantial vertical movement of the latch member. Applicants respectfully submit that Claims 1 and 19 are in condition for allowance given these limitations and the arguments given. Additionally, Claims 2-7,9,10,11-18 and 20-27 are dependent on either independent Claim 1 or Claim 19, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted herein for Claims 1 and 19 are also applicable to the dependent claims and the rejection of Claims 2-7,9,10,11-18 and 20-27 should be withdrawn. Further, it is respectfully submitted that Claims 2-7,9,10,11-18 and 20-27 are in condition for allowance.

Claims 28-29 have been added to particularly point out and distinctly claim the subject matter which Application regards as the invention. No new matter has been included by the addition of these claims.

The prior art of record has been reviewed and is believed to be inapplicable and not pertinent to the invention as claimed by the Applicants.

It is respectfully urged that the subject application is in condition for allowance and allowance of the claims in the application is respectfully requested.

Respectfully submitted,



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Marked Up Copy of Claims

Title : METHOD AND APPARATUS FOR RETAINING A TRACK CHAIN JOINT
Application No. : 09/726,078
Atty Docket No. : 00-422

IN THE CLAIMS

1. A hydraulically actuated quick coupling device, comprising:
an attachment frame including a centerline;
a latch member operatively associated with the attachment frame and movable between a disengaged position and an engaged position;
a link having first and second end portions, the first end portion[s] of the link being connected to the latch member;
a pivot member having spaced first, second, and third contact positions located thereon, the first contact position being used to pivotally connect the pivot member to the attachment frame and the second contact position being used to pivotally connect the pivot member to the second end portion of the link; and
a cylinder having head and rod end portions, the head end portion being connected to the attachment frame and the rod end portion being connected at the third contact position on the pivot member, the cylinder being operable for moving the latch member substantially vertically between the disengaged and engaged positions.

18. [A work machine having a frame, a loader arm connected to the frame and extending forwardly therefrom, and an implement, the work machine comprising:
an attachment frame having a centerline and being connectable to the loader arm;
a latch member operatively associated with the attachment frame and movable between a disengaged position and an engaged position;
a link having first and second end portions, the first end portion of the link being connected to the latch member;

a pivot member having spaced first, second, and third contact positions located thereon, the first contact position being used to pivotally connect the pivot member to the attachment frame and the second contact position being used to pivotally connect the pivot member to the second end portion of the link;

a supply of hydraulic fluid;

a circuit for pressurizing the hydraulic fluid; and

a cylinder having head and rod end portions, the head end portion being connected to the attachment frame and the rod end portion being connected at the third contact position on the pivot member, the cylinder being connected with the supply of hydraulic fluid so that upon pressurization thereof the cylinder is actuated for moving the latch member between the disengaged and engaged positions to respectively detach and attach the implement to the work machine.]

The hydraulically actuated quick coupling device of claim 11, wherein the first and second latch members are slidingly disposed within the attachment frame and each are angular positioned substantially ninety degrees from the centerline of the attachment frame.

19. A work machine having a frame, a loader arm connected to the frame and extending forwardly therefrom, and an implement, the work machine comprising:

an attachment frame having a centerline and being connectable to the loader arm;

a latch member operatively associated with the attachment frame and movable between a disengaged position and an engaged position;

a link having first and second end portions, the first end portion of the link being connected to the latch member;

[a pivot member having first and second end portions and a central portion, the first end portion pivotally connected on the attachment frame and the second end portion pivotally connected on the second end portion of the link] a pivot member having spaced first, second, and third contact positions located thereon, the first contact position being used to pivotally connect the pivot member to the attachment frame and the second contact

position being used to pivotally connect the pivot member to the second end portion of the link;

a supply of hydraulic fluid;

a circuit for pressurizing the hydraulic fluid; and

a cylinder having head and rod end portions, the head end portion being connected to the attachment frame and the rod end portion being connected [to the central portion of] at the third contact position on the pivot member, the cylinder being connected with the supply of hydraulic fluid so that upon pressurization thereof the cylinder is actuated for moving the latch member substantially vertically between the disengaged and engaged positions to respectively detach and attach the implement to the work machine.

28. (New) A method of operating a hydraulically actuated quick coupling device that connects an implement with a work machine, the work machine having a plurality of operational functions, the method comprising the steps of:

providing a supply of hydraulic fluid and a circuit for pressurizing the hydraulic fluid on one of the implement and the work machine;

utilizing a portion of the circuit for a first operational function of the work machine; and

diverting a predetermined amount of hydraulic fluid from the portion of the circuit for the first operational function to a different operational function of the work machine that engages and disengages a latch member of the quick coupling device.

29. (New) A hydraulically actuated quick coupling device, comprising:

an attachment frame including a centerline;

a latch member operatively associated with the attachment frame and movable between a disengaged position and an engaged position;

a pivot member having spaced first, second, and third contact positions located thereon, the first contact position being used to pivotally connect the pivot member to the attachment frame and the second contact position being used to pivotally connect the pivot member with the latch member; and

a cylinder having head and rod end portions, the head end portion being connected to the attachment frame and the rod end portion being connected at the third contact position on the pivot member, the cylinder being operable for moving the latch member substantially vertically between the disengaged and engaged positions.